



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JULY 27, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:00 A.M. COUNCIL ROLL CALL

Invocation by Pastor Franklin of Cornerstone Church

Pledge of Allegiance to the Flag

Presentation of Student of the Quarter Awards - Councilmember Perea

Proclamation of "COMMISSION ON THE STATUS OF WOMEN DAY" - Councilmember Boyajian

Resolution of Commendation to Danny Johansen

Resolution of Commendation to the Hmong Youth Foundation, Inc. - Acting President Mathys

Presentation of P.R.I.D.E. Team Certificates for the Summer Quarter
(*Reception immediately following - 2nd floor foyer*)

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of July 19 and 20, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Reject low bid, and award a contract to furnish and install three (3) emergency generators

Action Taken:

2. Approve amendment to agreement with Volume Services and authorize the City Manager to execute the amendment on behalf of the City

Action Taken:

3. * **RESOLUTION - 5th amendment to AAR No. 99-181 appropriating \$91,500 from Convention Center retained earnings to fund the purchase of operating equipment and furniture, fixtures and equipment for the New Convention Center Exhibit Hall (*Requires 5 affirmative votes*)**

Action Taken:

4. * **RESOLUTION - Authorizing payment of salary difference benefit to City employees who have been activated as a result of the Yugoslav conflict**

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

5. **RESOLUTION** - Approving the applications for grant funds from various special appropriations for improvements at Mosqueda Community Park, Carozza Neighborhood Park, and Sunnyside Neighborhood Park

Action Taken:

- a. * **RESOLUTION** - 7th amendment to AAR No.99-181 appropriating \$570,000 for improvements to the Mosqueda Community Park, Carozza Neighborhood Park and Sunnyside Neighborhood Park (*Requires 5 affirmative votes*)

Action Taken:

6. **RESOLUTION** - Authorizing and directing the Public Works Director to sign a Deed of Easement in favor of PG&E to provide electrical service to the Water Tower

Action Taken:

7. Report on conversion of "P" Street to two-way traffic

Action Taken:

8. * **RESOLUTION** - Approving the summary vacation of a portion of Forkner Avenue south of the Palo Alto Avenue alignment

Action Taken:

9. **RESOLUTION** - Supporting the Big Fresno Fair Cross-City Race

Action Taken:

10. **RESOLUTION** - Authorizing the City Manager to enter into and execute certain grant agreements on behalf of the City of Fresno

Action Taken:

11. Proposed appointment of Max Futrell, Ed.D. to the Civil Service Commission - Mayor Patterson (*For introduction*)

Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

9:00 A.M. **REGULAR MEETING OF THE REDEVELOPMENT AGENCY**

Approve Agency minutes of July 20, 1999

Action Taken:

- A. Update on the proposed Chamlian Project and consider request for a one-year extension of exclusive rights to Vahan Chamlian to enter into negotiations with Agency for Disposition Development Agreement and Owner Participation Agreement regarding project site bounded by Ventura Street, "P" Street, Freeway 41, and "O" Street

Action Taken:

9:00 A.M. **REGULAR MEETING OF THE REDEVELOPMENT AGENCY CONTINUED**

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

- B. Approve an agreement with TriCity Engineering, to provide construction management services, during the construction of on and off site improvements for the Kearney Palms Shopping Center Project, within the Southwest Fresno GNR Project Area

Action Taken:

- C. Consider Owner Participation Agreement (OPA) request from Foundry Park Investors, L.P., and direct staff to proceed with the negotiation for an OPA between the Fresno Redevelopment Agency and the Foundry Park Investors, L.P. (Old Valley Foundry and Machine Works site, at 2510 S. East Avenue, and adjacent properties on the north to Church Avenue)

Action Taken:

9:00 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

- D. Consider approval of the following actions regarding the United States Economic Development Administration (EDA) Public Improvement Grant for the Roeding Business Park Redevelopment Project Area

Action Taken:

1. **RESOLUTION** - Approving an agreement between the City of Fresno and the Redevelopment Agency for the administration of the EDA Grant and the promissory note terms for the local match monies loaned by the City to the Agency (i) in the form and on the terms proposed by Agency staff, or (ii) in the form and on the terms proposed by City staff; and making certain findings pursuant to Health and Safety Code Section 33445 (*Council and Agency action*)

Action Taken:

2. Authorize the Agency Executive Director and City Manager, or their designees, to execute and administer the agreement (*Council and Agency action*)

Action Taken:

- E. Receive direction from the Agency relative to a Request for Qualifications/Proposals (RFQ/P) for potential developers to master plan/develop 34.17 acres for a downtown lake mixed-use development (*Agency action*)

Action Taken:

ADJOURN AGENCY

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M. **WORKSHOP** relating to Selland Arena Expansion - Councilmember Perea

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

11:15 A.M.

Discussion and direction regarding formation of a voluntary citizen's task force related to evaluating social service funding for future budgets - Councilmember Bredefeld

Action Taken:

- a. Designate the Human Relations Commission as the Social Service Funding Review Board - Councilmember Perea

Action Taken:

2:00 P.M.#1

DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:00 P.M.#2

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -

Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Victoria Anderson v. City of Fresno, et al.
2. **Case Name:** River Park Properties v. City of Fresno and City of Clovis
Robert J. Rosati v. City of Fresno and City of Clovis
3. **Case Name:** Floyd White v. City of Fresno
4. **Case Name:** Sherry Long v. City of Fresno (Claim No. 397-5212)
5. **Case Name:** Gilbert Murrietta v. City of Fresno (Claim No. 392-5373, 3975153, 398-0037)
6. **Case Name:** Earl Remily v. City of Fresno (Claim No. 395-5170, 397-203)
7. **Case Name:** Paul Tymn v. City of Fresno
8. **Case Name:** Yolanda Morales v. City of Fresno
9. **Case Name:** Griffith v. Santa Cruz, et al., Amicus curiae
10. **Case Names:** Civic Center Square, Inc. v. City of Fresno; Fresno Superior Court No. 612624-7
City of Fresno v. Civic Center Square, Inc., et al.; Fresno Superior Court No. 612629-6
City of Fresno v. Gordon Webster, et al.; Fresno Superior Court No. 612630-4
City of Fresno v. Civic Center Square, Inc., Fresno Superior Court No. 612631-2

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -

Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. County of Fresno v. City of Fresno

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

2:00 P.M.#2

CLOSED SESSION CONTINUED

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8

Property: Lease Agreement with Fresno County relating to Van Ness Avenue and Inyo Street Spiral Parking Garage

Negotiating parties: Jeffrey Reid, Robert Quesada, negotiators for the City of Fresno; John Weiser, negotiator for the County of Fresno

Under Negotiation: Instructions to negotiators concerning price, terms of payment, and other lease terms and conditions

Action Taken:

D. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jeffrey M. Reid, Andrew T. Souza, Jorge Aguiniga

Employee Organization(s): CFPEA (Councilmember Quintero); FAPOFA

Action Taken:

3:00 P.M.

Discussion regarding the restriction or cessation of any further development in the Urban Reserve Area in north Fresno and the amending of the Woodward Park Community Plan - Councilmember Bredefeld

Action Taken:

- a. Direct City Manager or designee to return to Council with documents for the initiation of a plan amendment to the Woodward Park Community Plan, necessary appropriation resolutions to implement the plan amendment, and documents for action relating to a moratorium on further development in the Urban Reserve Area in north Fresno

Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. * **BILL NO. B-50 (Intro. 7/20/99)** - Repealing Article 4 of Chapter 13 of the Fresno Municipal Code and adding Article 4 of Chapter 13 to the Fresno Municipal Code relating to historic preservation

Action Taken:

- B. Amendment to the Uniform Fire Code:

1. * **BILL NO. B-51 (Intro. 7/20/99)**- Repealing and re-enacting Article 7 of Chapter 9, Section 9-70103.1.4 and Section 9-71003.2 of the Fresno Municipal Code relating to Fire Prevention

Action Taken:

- C. **RESOLUTION** - Adding PPG Industries, Inc. in the proximity of S. Peach and E. North Avenues to the Fresno Enterprise Zone

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

- A. Proposed appointment of two (2) Councilmembers to the Infill Revitalization Committee - Council President Steitz
Action Taken:
- B. Appoint three (3) Councilmembers to the Social Services Funding Committee - Council President Steitz
Action Taken:
- C. **RESOLUTION** - Supporting legislation that would extend \$5.8 million for an Amtrak Station in Fresno - Council President Steitz
Action Taken:
- D. **RESOLUTION** - Supporting “The Fair Competition and Taxpayers Savings Act” initiative and legislation - Council President Steitz
Action Taken:
- E. Approve preparation of appropriate documents for charter amendment to allow each Council District to have two permanent positions - Councilmember Ronquillo
Action Taken:
- F. **RESOLUTION** - Authorizing the Parks, Recreation, and Community Services Department Director to accept donation of Kiosks and installation thereof from, and enter into and sign an advertising agreement with the Downtown Association - Councilmember Ronquillo
Action Taken:
- G. Approve extension of 1999 Fresno Falcons license agreement for one (1) year or approve a three (3) year lease agreement with performance criteria - Councilmember Perea
Action Taken:
- H. * **RESOLUTION** - 8th amendment to AAR No. 99-181 appropriating \$8,000 of District 2's General Fund Infrastructure Budget to fund a non-infrastructure related project House of Hope for Youth - Acting President Mathys (*Requires 5 affirmative votes*)
Action Taken:
- I. Discussion and action regarding appropriations in the Parks Department budget or in any other budget line item for landscape maintenance services: (Councilmember Perea)
 - 1. Action regarding Tree Fresno Landscape Maintenance Agreement, extension of services by Tree Fresno to other areas of City (by amendment to Agreement);
 - 2. Action to limit the appropriation/expenditure of monies appropriated for landscape maintenance purposes including, if necessary, (a) amendment to appropriations line item for landscape maintenance services scheduled to take effect August 1, 1999, (b) any other budget-related action (amendment or appropriations);
 - 3. Action to designate recipient of monies appropriated for landscape maintenance purposes, i.e., Tree Fresno, City of Fresno forces, or party awarded contract following a Request for Proposals (RFP) process
Action Taken:

6.

CITY/COUNTY INTERGOVERNMENTAL RELATIONS
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****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Aug. 3 - NO MEETING - COUNCIL VACATION

Aug. 10 - NO MEETING - COUNCIL VACATION

Aug. 17 - 8:30 A.M. CONTINUED JOINT COUNCIL AND RDA HEARING - Consider approval of the following actions regarding the Southwest Fresno Police Substation at the Kearney Palms Shopping Center Project

Aug. 17 - 10:00 A.M. Multipurpose Downtown Stadium:

1. Discussion re: public models for construction of stadium
2. Direct City Attorney to require FDG to make public all financial information - Acting President Mathys

Aug. 17 - 10:30 A.M. **HEARING** re: regional air quality issues and alternative power sources - Councilmember Perea

Aug. 17 - 10:45 A.M. **HEARING** re: Rezone Appl. No. R-93-17, filed by Spalding Wathen

Aug. 17 - 11:00 A.M. **HEARING** re: P.A. A-99-15, Rezone Appl. R-99-24, filed by Dirk Poeschel, representing Calcot LTD and Vendo Co.

Aug. 17 - 11:30 A.M. **HEARING** re: P.A. No. 99-08, Rezone Appl. No. 99-17, filed by Balber Grewal

Aug. 24 - 10:00 A.M. **HEARING** re: P.A. No. 99-07, Rezone Appl. No. 99-15, filed by S.L. Mackay

Aug. 24 - 10:15 A.M. **HEARING** re: P.A. No. A-99-10, Rezone Appl. No. R-99-20, filed by Brian Davies on behalf of Highland Enterprises

Sept. 7 - NO MEETING - COUNCIL VACATION

Sept. 14 - NO MEETING - COUNCIL VACATION

Oct. 12 - NO MEETING - LEAGUE OF CALIFORNIA CITIES CONFERENCE

Nov. 23 - NO MEETING - THANKSGIVING WEEK

Dec. 21 - NO MEETING - CHRISTMAS WEEK

Dec. 28 - NO MEETING - NEW YEAR'S WEEK

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***